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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE
WESTERN DISTRICT OF WASHINGTON (TACOMA)

10 GEORGE W. BEARDSLEY,

11 Plaintiff,

12 v.

13 MICHAEL J. ASTRUE,
14 Commissioner of Social Security,

15 Defendant.

Civil No. 3:09-cv-5260-JRC

ORDER OF REMAND

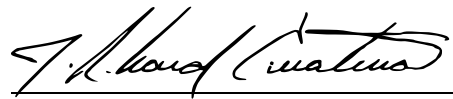
16 Based on the stipulation of the parties, it is hereby ORDERED that the above-captioned
17 case be REVERSED and REMANDED for further administrative proceedings pursuant to
18 sentence four of 42 U.S.C. § 405(g). On remand, an administrative law judge (ALJ) will hold a
19 *de novo* hearing and Plaintiff may raise any issue. The ALJ will: (1) address lay witness
20 statements and further evaluate the claimant's credibility; (2) reevaluate the claimant's residual
21 functional capacity, addressing his shoulder impairment and taking into account all impairments;
22 (3) address and clarify the claimant's past relevant work and classification in the Dictionary of
23 Occupational Titles; (4) when applying the medical-vocational rules as a framework for
24 decision-making, properly consider the claimant's correct age, transferable skills, and residual

1 functional capacity and clarify the capacity for work the claimant would be capable of
2 performing.

3 Upon proper presentation, this Court will consider Plaintiff's application for costs and
4 attorney fees under 28 U.S.C. § 2412(d) and 42 U.S.C. § 406(b).

5 JUDGMENT is entered for Plaintiff, and this case is closed.

6 DATED this 28th day of September, 2009.

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9 J. Richard Creatura
10 United States Magistrate Judge
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